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 9 Attorneys for Defendants  
 10 UBS Financial Services Inc. (also sued as Paine  
 Webber) and UBS PartnerPlus Plan (erroneously sued as  
 11 UBS/Paine Webber Partner's Plus)

12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO DIVISION

16  
 17 Alva Gene Thaning,  
 Plaintiff,  
 v.  
 18 UBS/Paine Webber, UBS/Paine Webber Partner's  
 19 Plus, UBS Financial Services, Inc.,  
 Defendant.

No. 07-5528 MJJ

**DECLARATION OF JACQUELINE  
 S. BRONSON IN SUPPORT OF  
 DEFENDANTS' REPLY IN  
 SUPPORT OF MOTION TO  
 COMPEL ARBITRATION AND  
 STAY PROCEEDINGS**

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Date: February 26, 2008  
 Time: 9:30 a.m.  
 Place: Courtroom 11, 19th Flr.  
 Judge: Hon. Martin J. Jenkins

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 22 I, JACQUELINE S. BRONSON, declare as follows:

23 1. I am an associate at the law firm of Bingham McCutchen LLP duly  
 24 admitted to practice law in the State of California, and if called as a witness I could and would  
 25 testify to the following facts.

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1                   2. Plaintiff's Opposition to Defendants UBS Financial Services Inc. (also  
 2 sued as UBS/Paine Webber) and UBS PartnerPlus Plan (erroneously sued as UBS/Paine Webber  
 3 Partner's Plus) (collectively, "Defendants" or "UBS")'s Motion To Compel Arbitration was due  
 4 on Tuesday, February 5, 2008. Plaintiff did not serve on UBS or file with the Court any  
 5 Opposition on that date. He did not ask UBS at any point in time for an extension.

6                   3. On Friday, February 8, 2008, three days after Plaintiff's Opposition was  
 7 due, Plaintiff provided UBS's counsel with a hard copy of the brief. He did not electronically  
 8 serve UBS with the Opposition. To UBS's present knowledge, Plaintiff still has not  
 9 electronically filed the Opposition though this case is subject to e-filing and according to the  
 10 docket report still has not filed the papers by any means with the Court.

11                  4. In Plaintiff's counsel's declaration, he contends that he was not served  
 12 with a copy of the brief. That is incorrect. Plaintiff's counsel was properly served pursuant to  
 13 Local Rule 5-5(b). On January 11, 2008, UBS electronically filed its moving papers with the  
 14 Court consistent with the Court's Local Rules regarding cases subject to e-filing. The Court's  
 15 automatic notice of filing return e-mail indicated that Plaintiff's counsel of record from the law  
 16 firm Aspelin & Bridgman LLP was electronically served. Plaintiff's counsel and thereby  
 17 Plaintiff thus was served with UBS's moving papers on January 11, 2008.

18                  I declare under penalty of perjury under the laws of the State of California that  
 19 the foregoing is true and correct and that I executed this declaration on the 12 of February, 2008  
 20 in San Francisco, California.

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/s/ Jacqueline S. Bronson  
Jacqueline S. Bronson

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